

Montana Department of
Public Health & Human Services

Section:

**Overview – Best Beginnings Child Care
Scholarships**

CHILD CARE

Subject:

Timely Notices and Termination

Supersedes: New May 1, 2005

References: Sections 45-6-301(4), 52-2-713, and 52-2-726, 53-4-611, MCA;
Sections 11.2.201 – 220, 37.5.103, 37.5.307 ARM;
45 CFR 98.50 and .66

General Rule

Parents and providers who are subject to an adverse action taken by the Department or by the CCR&R, as defined in Section 1-3 of this manual, are entitled to timely notice. Timely notice means that the CCR&R has mailed written notification to the parent or provider ten days prior to the adverse action.

**Termination
for Parents**

Reasons for termination, reduction, or denial of Best Beginnings Child Care Scholarships include, but are not limited to, the following:

- ☐ The CCR&R agency does not recertify the household or the certification plan expires.
- ☐ A parent terminates the employment or training that made the parent eligible for child care assistance.
- ☐ The parent no longer needs child care to allow the parent to participate in an approved work or training activity.
- ☐ The parent voluntarily makes a written request to the child care resource and referral worker that the Best Beginnings Child Care Scholarship be closed.
- ☐ The child is over the age limit.
- ☐ A parent who was participating in a TANF or WoRC Program is no longer a participant in that program and is not otherwise eligible for a Best Beginnings child care scholarship.
- ☐ The child no longer receives care at the child care facility specified in the certification plan and there is no indication that the child will be receiving care at the facility in the near future.
- ☐ The CPS case plan or treatment plan no longer requires child care be provided.

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- ❑ DPHHS or Child Care and Development Fund institute budget restrictions.

**Termination
for Providers**

Reasons for termination, reduction or denial of Best Beginnings Child Care Scholarships include, but are not limited to the following:

- ❑ The child care provider no longer meets respective licensing, registration, or legally unregistered provider qualifications; or
- ❑ The child care provider has received three strikes in accordance to the over claim policy, as outlined in Section 6-9.

**Providers Shall
Allow Access to
Facility and
Records**

A provider's eligibility to receive state payment under a state assisted child care program may be terminated if:

- ❑ the provider willfully misrepresents services provided, with respect to sign-in/sign-out records or attendance billed on invoices; or
- ❑ the provider refuses access to the child care setting and child records during business hours to the following personnel:
 - employees or other agents of state or local government, investigating child care services or child abuse or neglect;
 - child care resource and referral agency personnel investigating child care services; or
 - health, building, or fire officials investigating child care facility health and safety issues.

**Notice when
State/CCR&R
Reduce Benefits
(Timely Notice)**

If the State or Child Care Resource and Referral agency terminates or reduces the Best Beginnings Child Care Scholarship before the end of the certification plan, the parent and the provider must be mailed written notification of termination/reduction of the Best Beginnings Child Care Scholarship, at least ten (10) days before the termination date. The Best Beginnings Child Care Scholarship may continue for the notice period.

The following situations require that a 10-day notice be provided:

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- ☐ A parent terminates the employment or training that made the parent eligible for child care assistance;
- ☐ The parent no longer needs child care to allow the parent to participate in an approved work or training activity;
- ☐ A parent who was participating in a TANF or WoRC Program is no longer a participant in that program and is not otherwise eligible for a Best Beginnings child care scholarship;
- ☐ The child is over the age limit;
- ☐ The parent failed to make the required co-payment; or
- ☐ DPHHS or Child Care and Development Fund institute budget restrictions.

EXAMPLE: A parent calls their local CCR&R and talks to their eligibility worker. The parent has stated that they have not been working for the last 8 days, but have been looking for work. The parent has decided that there is no longer a need for child care because they will be staying home with the children for a while.

The applicant's verbal statement indicates the family has lost eligibility for the program.

- ⇒ Send a closure notice to the parent and to the provider.
- ⇒ Close and case note the information in CCUBS.
- ⇒ Pay the 10-day notice period as regular attendance days by following the certification plan.

**No Advance
Notice for the
Parent/Provider
(Adequate
Notice)**

The certification plan end-date serves as written notice of termination of the Best Beginnings Child Care Scholarship. If a parent fails to re-certify, no additional notice must be given to either the parent or the provider.

No advance notice of termination of a Best Beginnings Child Care Scholarship to a parent or provider is required in the following instances:

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- The CCR&R agency does not recertify the household or *the certification plan expires*;
- The parent voluntarily makes a written request to the child care resource and referral worker that the Best Beginnings Child Care Scholarship be closed;
- The child care provider no longer meets respective licensing, registration, or legally unregistered provider qualifications;
- The child no longer receives care at the child care facility specified in the certification plan and there is no indication that the child will be receiving care at the facility in the near future.

Generally, the parent is responsible for informing the provider of any changes in their child care requirements. However, the provider is responsible for notifying the CCR&R agency if a child is absent five (5) consecutive days without explanation and/or the family's whereabouts are unknown.

The CCR&R shall mail a closure notice to the parent and child care provider 10 days prior to closing the case. (See Section 6-7 Unexplained Absences for additional information). Scholarship payments will be honored up to the closure date.